

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 16, 2003 ("*Office Action*"). At the time of the *Office Action*, Claims 1-77 were pending in the application. In the *Office Action*, the Examiner rejects all pending claims. Applicants have amended Claims 1 and 44 to advance prosecution in this case. The specification has been amended. Applicants respectfully submit no new matter has been introduced by these amendments. Applicants do not admit that these amendments were necessary as a result of any cited art.

Consideration of Information Disclosure Statements

Applicants mailed an Information Disclosure Statement on October 2, 2002 and another Information Disclosure Statement on July 10, 2003. Applicants respectfully request a copy of the PTO Form 1449 for each of these two Information Disclosure Statements indicating the Examiner's consideration of the references.

Section 112 Rejections

Claims 73-75 have been rejected under U.S.C. § 112, first paragraph. Applicants respectfully traverse this rejection. The Specification at Claim 74 indicates that, for example, the existing primary router may communicated an activation notice to the new primary wireless router. The detailed description has been amended in accordance with this teaching. No new matter is added by this amendment. In addition, the detailed description contains references to the use of virtual paths between routers in a network to provide mobility management for transmitting traffic and control signals between routers. FIGURE 20, for example and not by way of limitation, describes the existing primary router 378 and the new primary router 384 as intercommunicating "with one another and the mobile device 380 to provide mobility management within the network 370." In a particular described embodiment for example, the wireless routers "intercommunicate traffic and control information over the wireless router links to perform ... mobility management." Application, Page 13, Lines 18-22. For example, FIGURE 3 illustrates a wireless link between routers including a wireless specific virtual tunnel, or path 72 that provides mobility management. Application, Page 18, Lines 9-11. In a particular embodiment, the virtual path 72 between

wireless routers such as a new and existing primary wireless router is a multi-protocol label switch (MPLS) path. Page 18, Lines 16-17. The signaling protocol used by the wireless MPLS path 72 may be "an extension of existing RSVP/LDP protocols, use a specialized circuit, or be established using transport control protocol (TCP) or signal as the transport protocol." Page 19, Lines 1-4. Thus, Applicants request the Examiner to reconsider and withdraw the rejection of Claims 73-75 under 35 U.S.C. § 112.

Section 103 Rejections

The Office Action has rejected Claims 1-6, 8, 12, 14-15, 17-19, 31-33, 35-41 and 44-49 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,587,457 to Mikkonen ("*Mikkonen*"). Applicants respectfully traverse this rejection.

Independent Claim 1, as amended, recites the traffic controller of the wireless router is operable "to communicate with other wireless routers." Applicants submit that this element at least is not taught or suggested by *Mikkonen*. Accordingly, the Applicants respectfully request allowance of Independent Claim 1 and its respective dependents Claims 2-6, 8, 12, 14-15, and 17-19. Claim 44 and its dependents Claims 2-6, 8, 12, 14-15, and 17-19 are allowable for analogous reasons.

In regard to Independent Claim 31, *Mikkonen* fails to teach or suggest "a first virtual path configured between the first and second routers for transmission of wireline protocol traffic." The passages of *Mikkonen* cited to teach this element merely refer to the mobile IP router's control of the access points to transmit radio flow to the wireless terminal. Col. 5, lines 55-67. In fact, *Mikkonen*, in contrast, teaches that the mobile domain (MD) routers 7, 7' control mobility of the wireless terminals MT between domains 6, 6' via the mobile IP routers 5, 5', 5". Col. 6, lines 6-24. The MD routers 7, 7' control the mobile IP routers 5, 5', 5", which does not require virtual circuits between a first and a second router. *Id.*

Additionally, Independent Claim 31 recites, in part, "a second virtual path configured between the first and second routers for transmission of a wireless protocol traffic." The Office Action has not provided a portion of *Mikkonen* to suggest, teach, or disclose this element.

The Office Action has not shown a suggestion or a motivation in the references or in the knowledge generally available to one of ordinary skill in the art to combine the cited

references. Nothing in *Mikkonen* suggests or motivates the proposed modification. In fact, *Mikkonen* teaches away from making the proposed modification. The Office Action merely speculates that "it would have been obvious to a skilled artisan prior to applicant's invention" to make the proposed modification to realize certain advantages. However, there is no motivation to modify *Mikkonen* because it does not teach, suggest, or disclose the use of virtual paths between nodes to communicate to other wireless routers nor does it disclose transmitting wireless protocol traffic over a wireline network. *Mikkonen*, in contrast, teaches mobile domain (MD) routers 7, 7' that control mobility of the wireless terminals MT between domains 6, 6' via the mobile IP routers 5, 5', 5". Col. 6, lines 6-24. The MD routers 7, 7' control the mobile IP routers 5, 5', 5", which does not require the mobile IP routers to communicate to other mobile IP routers through the wireline network. *Id.* Additionally, the mobile IP routers appear to solely transmit IP flow over the wireline network as discussed supra. Therefore, the Applicants respectfully request the rejection of Claims 31 be withdrawn. Furthermore, these arguments analogously apply to Independent Claim 39. Therefore, for at least these reasons, Claim 31 and 39 are allowable. Accordingly, Applicants respectfully request the Examiner withdraw the rejection of Claim 31 and its dependents 32-33, 35-38 and Claim 39 and its dependents 40-41 and 44-49.

The Office Action has rejected Claims 9-11 under 35 U.S.C. § 103(a) as being unpatentable over *Mikkonen* in view of "Convergence Between Public Switching and the Internet" to Schoen, et al. ("*Schoen*"). Applicants respectfully traverse this rejection. Applicants have shown Independent Claims 1 to be allowable, from which Claims 9-11 depend. There is no citation of the missing element in the added reference. Accordingly, the Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection and all findings therein of Claims 9-11.

The Office Action has rejected Claims 7, 20-30, 34, 42, 43, 50-59, 60-63, 64-72 and 73-77 under 35 U.S.C. § 103(a) as being unpatentable over *Mikkonen* in view of U.S. Patent 6,256,300 to Ahmed, et al. ("*Ahmed*"). Applicants respectfully traverse this rejection and all findings therein for the following reasons.

Applicants have amended Independent Claims 1 to recite, in part, "a traffic controller operable ... to communicate with other wireless routers" from which Claims 7, 20-30, 34, and 42 depend. There is no citation of this element in *Mikkonen*, as discussed above, or any citation of this in *Ahmed*. Accordingly, the Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of Claims 7, 20-30, and 34 that depend from Independent Claim 1. Independent Claims 39, 50, 60, 64, 73, and 76 and their dependents Claims 42, 43, 51-59, 61-63, 65-72, 74-75, and 77 are allowable for analogous reasons.

The Office Action has rejected Claims 13 and 16 under 35 U.S.C. § 103(a) as being unpatentable over *Mikkonen* in view of "Mobile IP and Security Issue: An Overview" to Perkins ("*Perkins*"). Applicants respectfully traverse this rejection for the following reasons.

Applicants have amended Independent Claims 1 to recite, in part, "a traffic controller operable ... to communicate with other wireless routers through the wireline network" from which Claims 13 and 16 depend. There is no citation of this element in *Mikkonen*, as discussed above, or in *Perkins*. Accordingly, the Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of Claims 13 and 16.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further request that the Examiner contact the undersigned attorney to schedule the telephone conference.

Applicants believe no other fees are due. However, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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